

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.M.JOSEPH**

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

Con.Case(C).No. 1546 of 2007(S)

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AGAINST THE JUDGEMENT IN WPC.37375/2003 Dated 27/10/2007
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PETITIONER/PETITIONER:

**PRIYALAL J.,
S/O. P.A.JOSEPH,
AGED 49 YEARS,
ASSISTANT ENGINEER,
ELOOR GRAMA PANCHAYAT,
ERNAKULAM.**

**BY ADV. SMT.K.P.GEETHA MANI
SRI.M.S.UNNIKRISHNAN
SRI.M.R.ANISON
SMT.S.KARTHIKA
SRI.T.R.RAJESH**

RESPONDENT/RESPONDENT:

**SRI. S.M.VIJAYANAND,
S/O. NOT KNOWN TO THE PETITIONER,
AGED NOT KNOWN TO THE PETITIONER,
SECRETARY TO GOVT. OF KERALA,
LOCAL SELF GOVT. (P) DEPARTMENT,
GOVT. SECRETARIAT,
TRIVANDRUM.**

BY SPL. GOVERNMENT PLEADER SRI. C.M. SURESH BABU.

**THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY
HEARD ON 03/12/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

H.L. DATTU, CJ. & K.M. JOSEPH, J.

Cont. Case (C) No.1546 of 2007

Dated this the 3rd day of December, 2007.

JUDGMENT

H.L.DATTU, CJ.

Complainant in this Contempt Petition alleges that the respondent/contemnor has wilfully and deliberately disobeyed the orders and directions issued by this court in W.P.(C) 37375 of 2003 dated 16th June, 2004,

2. Notice on this contempt petition was ordered to be issued and served on the respondent. He has entered appearance.

3. Pursuant to the direction issued by this court, the respondent/contemnor is present before the court.

4. Today, the respondent has filed an affidavit before this court. Along with it, he has also produced the Notification issued by the State Government dated 27th November, 2007.

5. By the aforesaid Notification, the State Government, in exercise of its powers under sub-section (1) of Section 2 of the Kerala Public Services Act, 1968 has framed Special Rules in respect of the qualifications and methods of appointment for various posts under the Kerala Local Self Government Engineering Service.

6. In view of this development, in our opinion, at this stage, we need not have to proceed with this Contempt Petition. Therefore, the contempt petition is dropped. Liberty is reserved to the petitioner, if he so desires, to question the validity or otherwise of the Rules framed by the State Government.

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Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE

K.M. JOSEPH,
JUDGE

sb.